

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JAZZ PHARMACEUTICALS, INC.,

Plaintiff,

v.

ROXANE LABORATORIES, INC.,

Defendant.

Civil Action No. 10-6108 (ES)(CLW)

Hon. Esther Salas, U.S.D.J.

Hon. Cathy L. Waldor, U.S.M.J.

[PROPOSED] SCHEDULING ORDER

(Filed Electronically)

THIS MATTER having come before the Court during the October 2, 2012 status conference and upon the joint submission of Plaintiff Jazz Pharmaceuticals, Inc. ("Jazz") and Defendant Roxane Laboratories, Inc. ("Roxane") (D.I. 156) and for other and good cause having been shown:

IT IS on this th15 day of October, 2012,

With respect to Roxane's request to amend its contentions pursuant to L. Pat. R. 3.6 and 3.7, **ORDERED THAT:**

1. Roxane shall serve Jazz with Roxane's proposed amended contentions based upon this Court's *Markman* Opinion and Order (D.I. 151, 152) by **October 9, 2012**;
2. Jazz shall provide Roxane with Jazz's consent or objections to Roxane's proposed amended contentions by **October 16, 2012**;
3. Roxane shall file its motion requesting amendment of its contentions based upon this Court's *Markman* Opinion and Order by **October 30, 2012**;
4. If Jazz objects, it shall file its opposition to Roxane's motion to amend its contentions by **November 13, 2012**;
5. If Jazz opposes Roxane's motion, Roxane will file its reply in support of its motion to amend its contentions by **November 20, 2012**;

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With respect to Jazz's U.S. Patent No. 8,263,650 ("the '650 patent"),

ORDERED THAT:

1. Roxane shall serve Jazz with Roxane's notice of paragraph IV certification pursuant to 21 U.S.C. § 355(j)(2)(B) relating to the '650 patent by **October 16, 2012**;
2. Jazz shall file its Complaint relating to the '650 patent, if any, by **October 26, 2012**;
3. If Jazz sues Roxane on the '650 patent, Roxane shall file and serve its Answer and Counterclaims, if any, by **November 9, 2012**;
4. If Roxane files Counterclaims with respect to the '650 patent, Jazz shall file its Reply by **November 16, 2012**;
5. If Jazz sues Roxane on the '650 patent, Jazz shall file a motion for consolidation of the matter relating to the '650 patent with the consolidated Civil Action Nos. 10-6108, 11-660, and 11-2523 by **November 29, 2012**;
6. If Roxane opposes Jazz's motion to consolidate, Roxane shall file its opposition by **December 14, 2012**;
7. If Roxane opposes Jazz's motion to consolidate, Jazz shall file its reply in support of consolidation by **December 21, 2012**;

And it is **FURTHER ORDERED THAT:**

All expert discovery in the current matter is stayed pending resolution of Roxane's motion to amend its contentions and Jazz's motion to consolidate the current action with the matter pertaining to the '650 patent.

Dated: 10/15/12

Original: Clerk of the Court
cc: Hon. Cathy L. Waldor, U.S.M.J.
All Parties
Deputy Clerk
File



ESTHER SALAS
United States District Judge